

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

INTERACTIVE
COMMUNICATIONS
INTERNATIONAL, INC. and
INCOMM FINANCIAL
SERVICES, INC.,

Plaintiffs,

v.

DAVID CHIU and the CITY AND
COUNTY OF SAN FRANCISCO,

Defendants.

Civil Action No.
1:24-CV-05335-VMC

CONSENT MOTION FOR EXTENSION OF DEADLINES

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Plaintiffs Interactive Communications International, Inc. and InComm Financial Services, Inc. file this Consent Motion for Extension of Deadlines. Plaintiffs request that the Court enter an order extending the deadline for Defendants to respond to the Complaint and establishing a briefing schedule for any motion to dismiss filed by Defendants. In support of this request, Plaintiffs show the Court as follows:

Plaintiffs filed their Complaint against Defendants David Chiu and the City and County of San Francisco on November 20, 2024. Dkt. 1. Both Defendants were

served the next day, *see* Dkts. 7–8; under Rule 12(a)(1)(A)(i), their current deadline to respond to the Complaint is December 12, 2024.

Plaintiffs request that the Court extend the deadline for Defendants to answer, move, or plead in response to the Complaint up to and including February 12, 2025. Plaintiffs also request that the Court set a deadline of March 26, 2025 for Plaintiffs to respond to any motion to dismiss filed by Defendants, and a deadline of April 16, 2025 for Defendants to submit any reply in support of their motion to dismiss.

Good cause exists for this request, and it is not made for purposes of delay. Defendants are located in California, have not yet retained local counsel for this action, and need additional time to investigate Plaintiffs’ allegations and prepare a response. If that response comes in the form of a motion to dismiss, it is likely to introduce issues that warrant additional time for adequate briefing, given the type of claims (constitutional violations of the equal protection and commerce clauses and defamation), length of the Complaint (over 100 pages), and nature of its allegations.

Defendants consent to the request for an extension of time to respond to the Complaint and to the proposed briefing schedule. The parties agree that no prejudice will result to them as a result.

Plaintiffs therefore ask that the Court grant this Consent Motion and enter an order:

- a. extending the deadline for Defendants to respond to the Complaint through and including February 12, 2025;
- b. setting a deadline of March 26, 2025 for Plaintiffs to submit their response in opposition to any motion to dismiss filed by Defendants; and
- c. setting a deadline of April 16, 2025 for Defendants to file their reply in support of any motion to dismiss.

A proposed order granting this relief is attached for the Court's consideration.

Respectfully submitted this 11th day of December, 2024.

/s/ Sarah Brewerton-Palmer

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InComm Financial Services, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on this day I caused a true and correct copy of the foregoing document to be filed with the clerk's office by this Court's CM/ECF system which will serve a true and correct copy of the same upon all counsel of record.

This 11th day of December, 2024.

/s/ Sarah Brewerton-Palmer

Sarah Brewerton-Palmer

Georgia Bar No. 589898

Counsel for Plaintiffs